

REMARKS

Claims 1-7 are currently pending in this application. The Examiner has rejected Claims 1-7 under 35 U.S.C. § 102(e) as being anticipated by Soliman (U.S. Patent 6,321,090).

Please amend Claims 1 and 4 as set forth herein. No new matter has been added.

Soliman discloses a mobile communication system with position detection to facilitate hard handoff.

The claims of the present application relate to a method wherein if a mobile communication terminal is currently engaged in communication within the boundary cell, the base station controller (BSC) transmits a candidate frequency search request message (CFSRM) to the mobile communication terminal. The CFSRM commands the mobile communication terminal to search for a target frequency assignment (FA), with which the hard hand-off is to be performed. The mobile communication terminal searches the common FAs of all of the adjacent stations except the base station currently engaged in communication with the mobile communication terminal.

Soliman does not disclose the above CFSRM. The messages disclosed by Soliman at col. 8, lines 13-22, are messages sent by the BSC to command the mobile communication terminal to perform the hard handoff, after the target frequency assignment is determined to perform the hard handoff.

This CFSRM is contained in Claim 7, wherein it recites “recognizing the second sector to be the boundary cell, and commanding the mobile communication terminal to search common FAs of the adjacent stations, except the base station currently engaged in communication, by the BSC”.


Claims 1 and 4 have been amended to also contain the CFSRM by reciting, "receiving a candidate frequency search request message, commanding the mobile communication terminal to search common FAs of only adjacent stations, except the base station currently engaged in communication, from the BSC".

Based on at least the foregoing, withdrawal of the rejections of Claims 1, 4 and 7 under §102(e) is respectfully requested.

Based on at least the foregoing, Independent Claims 1, 4 and 7 are believed to be in condition for allowance. Without conceding the patentability per se of dependent Claims 2, 3, 5 and 6, these are likewise believed to be allowable by virtue of their dependence on their respective amended independent claims. Accordingly, reconsideration and withdrawal of the rejections of dependent Claims 2, 3, 5 and 6 is respectfully requested.

Accordingly, all of the claims pending in the Application, namely, Claims 1-7, are believed to be in condition for allowance. Should the Examiner believe that a telephone conference or personal interview would facilitate resolution of any remaining matters, the Examiner may contact Applicant's attorney at the number given below.

Respectfully submitted,



Paul J. Farrell

Reg. No. 33,494

Attorney for Applicant

THE FARRELL LAW FIRM
333 Earle Ovington Blvd., Suite 701
Uniondale, New York 11553
Tel: (516) 228-3565
Fax: (516) 228-8475

PJF/MJM/dr